

PROB 12C
(7/93)

Report Date: November 21, 2011

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

NOV 21 2011

Eastern District of WashingtonJAMES R. LARSEN, CLERK
YAKIMA, WASHINGTON DEPUTY**Petition for Warrant or Summons for Offender Under Supervision**

LRS

Name of Offender: Victor Manuel Chiprez-Lopez Case Number: 2:09CR00101-001

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, U.S. District Judge

Date of Original Sentence: 10/21/2009

Original Offense: Alien in United States After Deportation, 8 U.S.C. § 1326(b)(2)

Original Sentence: Prison - 28 Months; Type of Supervision: Supervised Release
TSR - 36 Months

Asst. U.S. Attorney: Pamela J. Byerly Date Supervision Commenced: 9/18/2011

Defense Attorney: Jaime Hawk Date Supervision Expires: 9/17/2014

PETITIONING THE COURT**To issue a warrant.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance1 **Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.2 **Special Condition # 14:** You are prohibited from returning to the United States without advance legal permission from the United States Attorney General or his designee. Should you reenter the United States, you are required to report to the probation office within 72 hours of reentry.**Supporting Evidence:** On or about November 15, 2011, a border patrol agent was patrolling the United States and Mexico International border near Tecate, California. The agent responded to a seismic sensor device. As the agent responded to the device, he came into contact with a local citizen from the "Lone Pine" area. The Lone Pine area is located approximately 8 miles east of the Tecate, California, Port of Entry. The citizen reported spotting an individual, not recognized as a local resident, hitchhiking with a disheveled look.

The agent drove approximately 400 yards east from the Lone Pine area, and made contact with an individual that was later identified as Victor Chiprez. Mr. Chiprez indicated to the agent that he was a citizen and national of the United States. Mr. Chiprez informed the agent

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he was from San Diego, California, but was living in San Ysidro, California, and did not have any documentation with him. Mr. Chiprez was detained for further investigation. The defendant was transported to the El Cajon Substation in Pine Valley, California, for processing. Upon further questioning by the agent, Mr. Chiprez recanted his initial claim of being a United States citizen, and stated he was a citizen and national of Mexico, without documentation entitling him to enter or remain in the United States legally.

Mr. Chiprez was advised of his Miranda Rights, and he indicated he understood these rights and was willing to answer all questions without an attorney present. Mr. Chiprez stated that his true and correct name is Victor Manuel Chiprez-Lopez, who was born in Michoacan, Mexico, on August 12, 1990. Mr. Chiprez stated that he is a citizen and national of Mexico, and does not possess any documents to enter or remain in the United States legally. He revealed to the agent that he entered the United States illegally on foot, 5 days ago, near Tecate, California. He indicated that he knew he was entering the United States illegally. He also advised the agent he had previously been deported by an immigration judge and was subsequently removed from the United States. He stated that he was en route to Washington State, to be with his family.

Official immigration records from the Department of Homeland Security reveal the defendant was previously deported to Mexico on October 6, 2011, through New Orleans, Louisiana. These same records reveal that the defendant has not applied for permission from the Attorney General of the United States, or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

On November 17, 2011, a complaint was filed in the United States District Court for the Southern District of California. The complaint reflects the defendant is in violation of § 8 U.S.C. 1326, Deported Alien Found in the United States.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 11/21/2011

s/Brenda J. Kuest

Brenda J. Kuest
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

11/21/11

Date